

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

In Re:)
)
MICHAEL JOHN MOHR) Bk. No. 17-13915-JDL
CRYSTAL RENE MOHR) Chapter 13
)
Debtor (s))

**RESPONSE TO TRUSTEE'S MOTION TO DISMISS FOR FAILIURE TO PAY
PLAN PAYMENTS AND MOTION TO MODIFY CHAPTER 13 PLAN AND
NOTICE OF OPPORTUNITY FOR HEARING**

COMES NOW, Debtors, Michael John Mohr and Chrystal Rene Mohr, by and through counsel Kenneth L. Spears, and responds to the Trustee's Motion to Dismiss for Failure to Pay Plan Payments and Motion to Modify Chapter 13 Plan and Notice of Opportunity of Hearing. In support thereof the Debtors state as follows:

1. Debtors filed a Chapter 13 petition and plan on September 29, 2017. On January 16, 2018, the Debtors plan was confirmed.
2. Debtors will continue making their regular mortgage payment in the amount of \$3,813.00, beginning in May, 2018.
3. Debtors have listed their property for sale located at 3905 Creek Bank Rd., Edmond, Oklahoma.
4. Debtors will modify their plan once the property is sold to omit the mortgage and arrearage to Bank of America.
5. Debtors shall be treated as current through April, 2018.
6. Debtors request their attorney receive \$350.00 for preparation of this response and Motion and proposed Order Modifying the Chapter 13 Plan.

WHEREFORE, Debtors pray this Court deny the Trustee's Motion to Dismiss for Failure to Pay Plan Payments.

/s/ Kenneth L. Spears

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Counsel for Debtors

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 21 days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

The 21 day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of April, 2018, I electronically transmitted a Response to Trustee's Motion to Dismiss for Failure to Pay Plan Payments and Motion to Modify Chapter 13 Plan and Notice of Opportunity of Hearing the Clerk of the Court using the ECF System for filing and transmittal of Notice of Electronic Filing and served up on participants in the CM/ECF system namely:

John T. Hardeman 13trustee@chp13okc.com, trustee@chp13okc.com
Kenneth L. Spears klspears@coxinet.net
U.S. Trustee Ustpregion20.oc.ecf@usdoj.gov

Further, I certify that on the 20th day of April, 2018, copies of the Response to Trustee's Motion to Dismiss for Failure to Pay Plan Payments and Motion to Modify Chapter 13 Plan and Notice of Opportunity for Hearing were forwarded via U.S.A. mail, first class, postage prepaid and property address to the following at the address shown below and attached mailing matrix:

Mr. & Mrs. Mohr
3905 Creek Bank Rd
Edmond, OK 73003-3543

/s/ Kenneth L. Spears
Kenneth L. Spears